

26-21a-101. Definitions.

As used in this chapter:

- (1) "Breast cancer screening mammography" means a standard two-view per breast, low-dose as defined by the National Cancer Institute, radiographic examination of the breasts to detect unsuspected breast cancer using equipment designed and dedicated specifically for mammography.
- (2) "Diagnostic mammography" means mammography performed on a woman having suspected breast cancer.
- (3) "Facility" means a facility that provides screening or diagnostic breast mammography services.

Enacted by Chapter 126, 1991 General Session

26-21a-201. Short title.

This part is known as the "Mammogram Quality Assurance Act."

Enacted by Chapter 126, 1991 General Session

26-21a-203. Department rulemaking authority.

The department shall make rules under Title 63G, Chapter 3, Utah Administrative Rulemaking Act:

- (1) establishing quality assurance standards for all facilities performing screening or diagnostic mammography and developing mammogram x-ray films, including procedures for clinical follow-up of abnormal mammograms;
- (2) providing for:
 - (a) collection and periodic reporting of mammography examinations and clinical follow-up data to the department;
 - (b) certification and revocation of certification of mammogram facilities;
 - (c) inspection of mammogram facilities, including entry of agents of the department into the facilities for inspections;
 - (d) setting fees for certification; and
 - (e) an appeal process regarding department certification decisions; and
- (3) the following information may be included in mammography results sent to a patient with dense breast tissue:

"Mammography is the only breast cancer screening examination which has been shown in multiple randomized clinical trials to reduce death rate from breast cancer. However, it is not a perfect test, specifically in women with dense breast tissue. Because your mammogram demonstrates that you have dense breast tissue, you may benefit from supplementary screening tests, depending on your personal risk factors and family history. Although other screening tests may find additional cancers, they may not necessarily increase survival. Nevertheless, you should discuss your mammography results with your health care provider. A copy of your mammography report has been sent to your health care provider's office. Please contact your health care provider if you have any questions or concerns about this notice."

Amended by Chapter 338, 2012 General Session

26-21a-204. Mammogram provider certification.

(1) A mammogram may only be performed in a facility the department certifies as meeting:

- (a) the qualifications and standards under Section 26-21a-203; and
- (b) the registration, licensing, and inspection requirements for radiation sources under Section 19-3-104.

(2) Facilities desiring to perform mammograms shall request certification as a mammogram provider by the department under procedures established by department rule.

Amended by Chapter 286, 2001 General Session

26-21a-205. Department duties.

The department shall:

- (1) enforce rules established under this part;
- (2) authorize qualified department agents to conduct inspections of mammogram facilities under department rules;
- (3) collect and credit fees for certification under Section 63J-1-504; and
- (4) provide necessary administrative and staff support to the committee.

Amended by Chapter 183, 2009 General Session

26-21a-301. Breast cancer mortality reduction program.

The department shall create a breast cancer mortality reduction program. The program shall include:

- (1) education programs for health professionals regarding skills in cancer screening, diagnosis, referral, treatment, and rehabilitation based on current scientific knowledge;
- (2) education programs to assist the public in understanding:
 - (a) the benefits of regular breast cancer screening;
 - (b) resources available in the medical care system for cancer screening, diagnosis, referral, treatment, and rehabilitation; and
 - (c) available options for treatment of breast cancer and the ramifications of each approach; and
- (3) subsidized screening mammography for low-income women as determined by the department standards.

Enacted by Chapter 126, 1991 General Session

26-21a-302. Cancer Research Restricted Account.

(1) As used in this section, "account" means the Cancer Research Restricted Account created by this section.

(2) There is created in the General Fund a restricted account known as the "Cancer Research Restricted Account."

(3) The account shall be funded by:

- (a) contributions deposited into the account in accordance with Section

41-1a-422;

- (b) private contributions;
- (c) donations or grants from public or private entities; and
- (d) interest and earnings on fund money.

(4) The department shall distribute funds in the account to one or more charitable organizations that:

(a) qualify as being tax exempt under Section 501(c)(3) of the Internal Revenue Code;

- (b) have been designated as an official cancer center of the state;
- (c) is a National Cancer Institute designated cancer center; and
- (d) have as part of its primary mission:

(i) cancer research programs in basic science, translational science, population science, and clinical research to understand cancer from its beginnings; and

(ii) the dissemination and use of knowledge developed by the research described in Subsection (4)(d)(i) for the creation and improvement of cancer detection, treatments, prevention, and outreach programs.

(5) (a) An organization described in Subsection (4) may apply to the department to receive a distribution in accordance with Subsection (4).

(b) An organization that receives a distribution from the department in accordance with Subsection (4) shall expend the distribution only to conduct cancer research for the purpose of making improvements in cancer treatments, cures, detection, and prevention of cancer at the molecular and genetic levels.

(c) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the department may make rules providing procedures for an organization to apply to the department to receive a distribution under Subsection (4).

Amended by Chapter 303, 2011 General Session

26-21a-303. Prostate Cancer Support Restricted Account.

(1) As used in this section, "account" means the Prostate Cancer Support Restricted Account created by this section.

(2) There is created in the General Fund a restricted account known as the "Prostate Cancer Support Restricted Account."

(3) The account shall be funded by:

(a) contributions deposited into the account in accordance with Section 41-1a-422;

- (b) private contributions;
- (c) donations or grants from public or private entities; and
- (d) interest and earnings on fund money.

(4) Subject to appropriation, the department shall distribute funds in the account to one or more charitable organizations that:

(a) qualify as being tax exempt under Section 501(c)(3) of the Internal Revenue Code;

(b) conduct programs that raise awareness of prostate cancer and its dangers; and

(c) provide or support programs for prostate cancer early screening, detection,

and prevention efforts.

(5) (a) An organization described in Subsection (4) may apply to the department to receive a distribution in accordance with Subsection (4).

(b) An organization that receives a distribution from the department in accordance with Subsection (4) shall expend the distribution only for programs within the state that:

(i) raise awareness of prostate cancer and its dangers; or
(ii) provide or support early screening, detection, and prevention efforts for prostate cancer.

(c) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the department may make rules providing procedures for an organization to apply to the department to receive a distribution under Subsection (4).

Enacted by Chapter 440, 2011 General Session